



UNITED STATES PATENT AND TRADEMARK OFFICE

UNITED STATES DEPARTMENT OF COMMERCE

United States Patent and Trademark Office

Address: COMMISSIONER FOR PATENTS

P.O. Box 1450

Alexandria, Virginia 22313-1450

www.uspto.gov

APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO.
10/796,705	03/09/2004	Scott Meredith	M61.12-0596	2881
27366 7590 10/07/2008 WESTMAN CHAMPLIN (MICROSOFT CORPORATION) SUITE 1400 900 SECOND AVENUE SOUTH MINNEAPOLIS, MN 55402-3244				
EXAMINER				
TAKLE, MISEKER				
ART UNIT		PAPER NUMBER		
2175				
MAIL DATE		DELIVERY MODE		
10/07/2008		PAPER		

Please find below and/or attached an Office communication concerning this application or proceeding.

The time period for reply, if any, is set in the attached communication.

Office Action Summary

Application No.

10/796,705

Applicant(s)

MEREDITH, SCOTT

Examiner

MESEKER TAKELE

Art Unit

2175

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --
Period for Reply

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

Status

- 1) ☒ Responsive to communication(s) filed on 13 June 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

Disposition of Claims

- 4) ☒ Claim(s) 1-4, 6, 7, 9, 10, 14-16 and 18, 19-20 is/are pending in the application.
- 4a) Of the above claim(s) _____ is/are withdrawn from consideration.
- 5) ☐ Claim(s) _____ is/are allowed.
- 6) ☒ Claim(s) 1-4, 6, 7, 9, 10, 14-16 and 18-20 is/are rejected.
- 7) ☐ Claim(s) _____ is/are objected to.
- 8) ☐ Claim(s) _____ are subject to restriction and/or election requirement.

Application Papers

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☐ The drawing(s) filed on _____ is/are: a) ☐ accepted or b) ☐ objected to by the Examiner.
Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

Priority under 35 U.S.C. § 119

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some * c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

* See the attached detailed Office action for a list of the certified copies not received.

Attachment(s)

- 1) ☐ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/SB08)
Paper No(s)/Mail Date _____
- 4) ☐ Interview Summary (PTO-413)
Paper No(s)/Mail Date _____
- 5) ☐ ~~Notice of Informal Patent Application~~
- 6) ☐ Other: _____

DETAILED ACTION

1. This communication is responsive to the Amendment filed 06/13/2008.
2. Claims 1-4, 6-7, 9, 10, 14-16, 18 and 19-20 are pending in this application. Claims 1, 9, 16 and 19 are independent claims. In the instant Amendment, claims 5, 8, 11-13, 17 and 20 was cancelled, and claims 1 and 9 were amended and claim 21 is added.
3. The text of those sections of Title 35, U.S. Code not included in this action can be found in a prior Office action.

Claim Rejections - 35 USC § 101

4. 35 U.S.C. 101 reads as follows:
Whoever invents or discovers any new and useful process, machine, manufacture, or composition of matter, or any new and useful improvement thereof, may obtain a patent therefor, subject to the conditions and requirements of this title.

Claims 1-4, 6-7, 9, 10, 14-16, 18 and 19-20 are rejected under 35 U.S.C. 101 because the claimed invention is directed to non-statutory subject matter, specifically a computer software product. Computer programs are not physical "things," nor are they statutory processes, as they are not "acts" being performed. Such claimed computer programs do not define any structural and functional interrelationships between the computer program and other claimed aspects of the invention which permit the computer program's functionality to be realized. In contrast, a claimed computer - readable medium encoded with a computer program defines structural and functional interrelationships between the computer program and the medium which permit the computer program's functionality to be realized, and is thus statutory. See MPEP §2106 Section IV.B.1(a).

Claim Rejections - 35 USC § 103

5. Claims 1-4, 6-7, 9, 10, 14-16, 18 and 19-20 are rejected under 35 U.S.C. 103(a) as being unpatentable over Moore (US Pub No: 2002/0078069) in view of Richards et al. ("Richards" US Patent No.: 5,995,921).

As to claim 1, Moore discloses, a computer-implemented method for creating a task identifier for identifying a file within a system for providing help content to computer operator (example, such as file naming, name of the directory for each class, the string, see paragraph [0034], abstract and Figure 1 (element 216)),

providing a user with a limited set of word selections that can be assigned to represent a first of a plurality of elements that together form the task identifier (example, History, Math, Science and English, see paragraph [0031]),

providing access to a collection of taxonomic organization data, wherein the taxonomic organization data relates each word selection in the limited set to a taxonomic category, and wherein the taxonomic category for each word selection is not apparent in the word selection itself (paragraph [0031] and [0038]),

receiving a selection from the user that is indicative of a particular word selection from the limited set of word selections (example, user make selection (e.g., "MATH"), see paragraph [0034]);

automatically determining, based at least in part on a reference to the taxonomic organization data, a particular taxonomic category that corresponds to the particular word selection (paragraph [0034]);

automatically assigning the particular taxonomic category to the file (example, such as “JL” that the created data file is the first in the series created by the document control object, see paragraph [0035] and Figure 4A); and

enabling a user to sort the file based on the particular word selection or based on the particular taxonomic category, wherein the result of a sort based on the particular taxonomic category is not the same as the result of a sort based on the particular word selection (example, History, Math, Science and English, see paragraph [0031])

However Moore does not specifically disclose help-related task described in the content of the file.

Richards from the same field of endeavor disclose help-related task described in the content of the file (example, help files, see Figure 2 (element 228)).

It would have been obvious to one of ordinary skill in the art to have modified Moore’s automatic file name generator at the time of the invention was made with help files as presented by Richards.

The motivation to combine to provide an improved help interface capable of receiving user-defined queries in a natural language and selecting the most appropriate answer from a plurality of potential answers through which user can interact with software.

As to claim 2, Moore discloses providing the user with a second limited set of word selections that can be assigned to represent a second of the plurality of elements (example, such as a list box appears with a list of classes, see paragraph [0029])

receiving a second selection from the user that is indicative of a word selection from the second limited set of word selections; and assigning said word selection from the second limited set of word selections to represent the second of the plurality of elements (example, student selects date or sequential number, see paragraph [0031]).

As to claim 3, Moore discloses wherein providing a user with a limited set of word selections that can be assigned to represent a first of a plurality of elements comprises providing a user with a limited set of word selections that can be assigned to represent an object element (example, History, Math, Science and English see paragraph [0031]).

As to claim 4, Moore discloses wherein providing a user with a limited set of word selections that can be assigned to represent a first of a plurality of elements comprises providing a user with a limited set of word selections that can be assigned to represent an action element (example “find”, see paragraph [0039]).

As to claim 6, Moore discloses further comprising a step of assigning said file to more than one taxonomic category based on the selection received from the user (example, student create new data, list box appears with list of classes, see paragraph [0029]).

As to claim 7, Moore discloses wherein the pluralities of elements are arranged in accordance with a predetermined structure of organizational elements (predetermined document structure, see paragraph [0021]).

Claim 9 is similar in scope to claim 1, and is therefore rejected under similar rationale.

As to claim 10, Moore discloses further comprising at least one object element selected from a limited set of object choices (example, user make selection (e.g., “MATH”, see paragraph [0034])).

As to claim 14, Moore discloses wherein the task identifier further comprises a plurality of elements arranged in accordance with a predetermined structure (example, predetermined document structure, see paragraph [0021])).

As to claim 15, Moore does not disclose a plurality of elements arranged in accordance with a predetermined order of linguistic structural components, more specifically in accordance with predetermined order of categories of parts of speech.

Richards from the same field of endeavor disclose a plurality of elements arranged in accordance with a predetermined order of linguistic structural components, more specifically in accordance with predetermined order of categories of parts of speech (example, users natural language, speech synthesis, see col., 1 line, 65 and col., 15 line 1).

It would have been obvious to one of ordinary skill in the art to have modified Moore’s automatic file name generator at the time of the invention was made with user’s natural language as presented by Richards.

The motivation to combine provide a help interface in which the user may query the help facility using words, phrases and terminology of the user's natural language.

As to claim 16, Moore discloses computer-implemented method for at least semi-automatically applying a taxonomic classification to a file to be incorporated into a system for providing help content to a user (example such as automatically naming, automatically entered into the title depending on which class the student selects ".backslash.CLASSES" see paragraph [0024], [0031], [0030] and [0028]), the method comprising:

assigning a first taxonomic category to a first word selection from a set of word selections (example, ".backslash.CLASSES" directory, see paragraph [0028]);

providing a user with the set of word selections that can be assigned to represent an element of a task identifier (example, ".backslash.CLASSES" directory, see paragraph [0028]). receiving a selection from the user that is indicative of the first word selection from the set of word selections, the first word selection having a meaning that is indicative of the help-related task, (example, such as user makes selection "Math", see paragraph [0034]);

and assigning the first taxonomic category to the file based on the selection received from the user (example, ".backslash.CLASSES" directory, one for each class, see paragraph [0028]).

However Moore does not specifically disclose help-related task described in the content of the file.

Art Unit: 2175

Richards from the same field of endeavor disclose help-related task described in the content of the file (example, help files, see Figure 2 (element 228).

It would have been obvious to one of ordinary skill in the art to have modified Moore's automatic file name generator at the time of the invention was made with help files as presented by Richards.

The motivation to combine to provide an improved help interface capable of receiving user-defined queries in a natural language and selecting the most appropriate answer from a plurality of potential answers through which user can interact with software.

As to claim 18, Moore discloses wherein assigning a first taxonomic category to a first word selection from a set of word selections further comprises assigning a first taxonomic category to a first word selection from a limited set of word selections (example, History, Math, Science and English see paragraph [0031]).

As to claim 19, Moore discloses wherein each task identifier includes an element selected from a limited vocabulary (example, such as document control object, name of the directory for each class, the string, see paragraph [0034] and figure 1, element 216).

As to claim 20, Richards discloses wherein the plurality of elements are arranged in accordance With a predetermined order of linguistic structural components (example, users natural language, speech synthesis, see col., 1 line, 65 and col., 15 line 1).

Response to Arguments

6. Applicant's arguments with respect to claims 1, 9, 16 and 19 in light of Wochler et al. have been fully considered and are persuasive. Therefore, the Wochler et al. reference was removed. However, in light of Moore and Richards et al it is deemed that the arguments are not persuasive.

Applicant argues that (a) Richards does not teach arranging the plurality of elements in accordance with a predetermined order of linguistic structural components and sorting the plurality of help files based at least in part on a taxonomic category assigned to said element; and

(b) Moore reference does not teach of an action element which is delineated as being affiliated with more than one taxonomic category and assigning a second taxonomic category to a first word selection from a set of word selections.

The Examiner disagrees for the following reasons.

Per (a), Richards discloses arranging the plurality of elements in accordance with a predetermined order of linguistic structural components (such as the identified base words are used as references into a predefined rule set which inherently matches the base word with a potential answer and assigns a value based on the relationship of the potential answer to the base word, users natural language, abstract and col., 1 line, 65), and sorting the plurality of help files based at least in part on a taxonomic category assigned to said element (such as, classifying the base word as one of a verb base word and a non-verb base word, Richards claim, 4).

Per (b), Moore disclose an action element which is delineated as being affiliated with more than one taxonomic category and assigning a second taxonomic category to a first word selection from a set of word selections (example, a new document control object associate with the template document, see paragraph [0034-0035]). Moore in view of Richards further disclose an action element which is delineated as being affiliated with more than one taxonomic category and assigning a second taxonomic category to a first word selection from a set of word selections; character string entries for such phrases as "get rid of," "take out," "remove," "nuke," and "deleting" are all associated with a word number value representing the base word "delete." In this manner, slang, jargon, and other user terminology are capable of being extracted from the user-defined query and associated with a smaller set of base words which, (Richards Col., 6 lines, 25-30).

Inquiry

Any inquiry concerning this communication or earlier communications from the examiner should be directed to MESEKER TAKELE whose telephone number is (571)270-1653. The examiner can normally be reached on Monday - Friday 7:30AM-5:00PM est.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, William Bashore can be reached on (571) 272-4088. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Art Unit: 2175

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Meseker Takele/
Examiner, Art Unit 2175

/WILLIAM L. BASHORE/
Supervisory Patent Examiner, Art Unit 2175